

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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DEAN DELAVENTURA, : Civil Action No. 05-10793 (WGY)
:
Plaintiff, :
:
- against - :
:
COLUMBIA ACORN TRUST, COLUMBIA :
FUNDS TRUST I, COLUMBIA FUNDS TRUST :
II, COLUMBIA FUNDS TRUST III, COLUMBIA :
FUNDS TRUST IV, COLUMBIA FUNDS TRUST :
V, COLUMBIA FUNDS TRUST VI, COLUMBIA :
FUNDS TRUST VII, COLUMBIA FUNDS TRUST :
VIII, COLUMBIA FUNDS TRUST XI, :
:
Defendants. :
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MOTION TO REMAND

Pursuant to 28 U.S.C. §1447(c) and 15 U.S.C. §§77p(d)(4) & 78bb(f)(3)(D), Plaintiff Dean Delaventura hereby moves this Court for an order remanding this action, which is solely based on state law breach of contract law against Defendants, to the Suffolk County Superior Court, and awarding Plaintiff “just costs and ... actual expenses, including attorney fees, incurred as a result of the removal.”

Plaintiff makes this motion based on the complaint, the memorandum of law submitted contemporaneously herewith, and all other pleadings and orders in this action.

REQUEST FOR ORAL ARGUMENT

Plaintiff believes that oral argument may assist the Court in making its determination on this motion. Accordingly, pursuant to Local Rule 7.1(d), Plaintiff hereby requests the Court schedule a hearing for oral argument on this motion.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

Undersigned counsel certify that they have conferred with counsel for defendants in a good faith effort to resolve or narrow the issues raised by this motion, but have been unable to do so.

Dated: June 6, 2005

Respectfully submitted,

By: /s/ John C. Martland
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